

REMARKS

The Office Action mailed September 11, 2002 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-11 and 29-40 are pending. Claim 12-28 have been canceled without disclaimer or prejudice. Claims 1, 3, 6, and 9 have been amended. In response to the request for an election, Applicant has elected Group I – claims drawn to an enclosure. Applicant respectfully asserts that dependent claims 29-33 are drawn to an enclosure of Group I and claims 34-40 are drawn to vault assembly in the same class 52 and subclass as 261 as Group I. Accordingly, applicant believes claims 29-40 should be entered.

Claims 1-11

Preliminarily, applicants note that claims 6 and 9 have been rewritten from a dependent form to an independent form. Claims 6 and 9, respectively, incorporate the *original subject matter of as original filed* and examined in the Office Action of September 11, 2002.

The Office Action rejected claims 1-11 under 35 U.S.C. § 102(b) for being allegedly unpatentable over the U.S. Patent No. 5,210,984 to Eckel. Applicants respectfully disagree with this rejection. Eckel merely describes an audiometric booth with any pultruded construction. With respect to claim 1, Eckel fails to disclose an enclosure as recited having pultruded panels for walls, the ceiling and floor. As noted in the specification, a pultruded component designates the component is created by a process of pultrusion. Applicant has advanced enclosure and vault technology by at least applying pultrusion which has not heretofore been used before in constructing vault components and panels as described in the present application. An enclosure as recited in claim 1 has significant increase in a strength-to-weight ratio that can be obtained with pultruded panels. Eckel clearly fails to disclose pultrusion or pultruded

components. Eckel fails to teach each and every limitation of claim 1. Further, none of the references of record describes the present invention as recited in claim 1. Accordingly, claim 1 is allowable. Claims 2 and 11 are allowable for at least being dependent upon claim 1.

Claim 3 is allowable by being dependent upon allowable claim 1 or claim 2. Nevertheless, it is respectfully asserted that Eckel fails to disclose that the trim members 34/36 are fiber resin, and *clearly fails* to disclose that these trim members are a pultruded construction. Accordingly, claim 3 is allowable at least for these reasons.

Claim 4 is allowable for at least being dependent upon claims 1 or 2. It is respectfully asserted that Eckel fails to disclose a bulkhead panel as recited. Accordingly, claim 4 is allowable at least for these reasons.

Claim 5 is allowable for at least being dependent upon claims 1 or 2. Accordingly, claim 5 is allowable at least for these reasons.

Claim 10 is allowable for at least being dependent upon claim 1. It is respectfully asserted that Eckel *clearly fails* to disclose pultruded panels being unitarily formed as recited in claim 10. This inventive feature provides significant advantages as noted in Applicant specification at least on page 8 in that the panels have greater uniform strength and increased manufacturing efficiencies can be realized by reduction in labor to assemble the panel components. Further, additional cost savings can result from using less material. Accordingly, the claim 10 is allowable at least for these reasons.

Claim 6 has been rewritten in independent form to include the limitations of the original base claim 1 and intervening claim 2. It is respectfully asserted that claim 6 is allowable over Eckel. Eckel fails to describe a plurality of connectors for joining

adjacent lateral wall panels and *adjacent longitudinal wall panels*, wherein the lateral wall panels and the longitudinal wall panels *include ends* for interconnecting with said connectors. Accordingly, claim 6 is allowable at least for these reasons.

Claim 7 is dependent on independent claim 6. It is respectfully asserted that claim 7 is allowable over Eckel. Eckel fails to describe *connectors which are bands of fiberglass* bonded to the ends of adjacent lateral wall panels and adjacent longitudinal wall panels. Accordingly, claim 7 is allowable at least for these reasons.

Claim 8 is dependent on independent claim 6. It is respectfully asserted that claim 8 is allowable over Eckel. Eckel fails to describe connectors which *are interposed* between ends of the adjacent lateral wall panels and adjacent longitudinal wall panels such a portion of the planar sheets are received and bonded to the connectors. Accordingly, claim 8 is allowable for at least these reasons.

Claim 9 has been rewritten in independent form to include the limitations of the original base claim 1 and intervening claim 2. It is respectfully asserted that claim 9 is allowable over Eckel. Eckel is devoid of any teaching of a vertical, floor, and ceiling panels comprising, by weight at least 40% fiberglass. At note in applicants specification, at least on pages 15-17. This inventive feature significant structural advantageous in that it provides an increased strength-to-weight ratio which permits an enclosure to have longer wall sections with less weight than concrete type vault and enclosures. Accordingly, claim 9 is allowable for at least these reasons.

New Claims 29-40

New claim 29-34 recited other inventive features of the present invention.

Regarding claim 29, it is respectfully asserted that none of the describes the enclosure of claim 1, wherein the plurality of pultruded panels includes a unidirectional

roving therein the fiber resinous composite matrix for increasing a stiffness of said panels.

Regarding claim 30, it is respectfully asserted that none of the references describes the enclosure of claim 1, wherein the vertical wall panels, floor panels and ceiling panels comprise at least 40% fiberglass as measured by weight.

Regarding claim 31, it is respectfully asserted that none of the references describes the enclosure of claim 1, further comprising a plurality of vertically disposed pultruded connectors interposed between adjacent vertical wall panels for bounding together, said connectors having opposed receiving pockets configured receive and seal an interior of said enclosure.

Regarding claim 32, it is respectfully asserted that none of the references describes the enclosure of claim 7, wherein the bands of fibers are configured to seal an interior of said enclosure.

Regarding claim 33, it is respectfully asserted that none of the references describe, the enclosure of claim 8, wherein the connectors further comprise a two receiving pockets being opposed longitudinally.

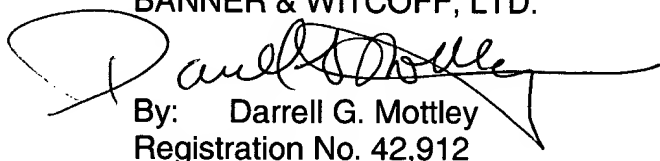
New claims 34-40 recite an inventive vault assembly of the present invention. With respect to claim 34, it is respectfully asserted that none of the references describes a vault assembly with a plurality of fiber reinforced pultruded panels configured for being bonded together, said pultruded panels including a plurality of integral spaced support members disposed between two opposing panel surfaces defining a plurality of spaced interstitial pockets interposed therebetween, the vault system comprising: a plurality of vertical wall panels configured to be interconnected therebetween; a floor panel

configured for fixedly bonding to a lower end of the vertical wall panels; and a ceiling panel configured for fixedly bonding to an upper end of the vertical wall panels to define an interior enclosure. Claims 35-40 are allowable by least being dependent upon claim 34.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that this application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in better form for allowance, the Examiner is respectfully urged to contact Applicants' undersigned representative at the below-listed number. If any additional fees are required or if an overpayment has been made the Commissioner is authorized to charge or credit Deposit Account No. 19-0733.

Respectfully submitted,
BANNER & WITCOFF, LTD.



By: Darrell G. Mottley
Registration No. 42,912

Dated: January 13, 2003

1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 508-9100

MARKED-UP VERSION OF AMENDMENTS MADE

IN THE CLAIMS:

Claims 1, 3, 6, and 9, have been amended as follows:

1. An enclosure for underground use having a plurality of pultruded prefabricated panels formed of a fiber resinous composite matrix, comprising:

a plurality of interconnecting pultruded vertical panels;

a pultruded floor panel attached to a lower end of the vertical panels; and

a pultruded ceiling panel attached to an upper end of the vertical panels, wherein said vertical, floor, and ceiling panels include opposing substantially planar sheets attached to a plurality of spaced support members disposed between the sheets.

3. The enclosure of claim 2, further comprising a plurality of pultruded fiber resin angle members for bonding the longitudinal wall panels to the lateral wall panels at perpendicular interconnections therebetween.

6. ~~The enclosure of claim 2, further comprising~~ An enclosure for underground use having a plurality of prefabricated panels formed of a fiber resinous composite matrix, comprising:

a plurality of interconnecting vertical panels;

a floor panel attached to a lower end of the vertical panels; and

a ceiling panel attached to an upper end of the vertical panels, wherein said vertical, floor, and ceiling panels include opposing substantially planar sheets attached to a plurality of spaced support members disposed between the sheets; wherein the plurality of vertical panels comprises opposing longitudinal wall panels and opposing lateral wall panels; a plurality of connectors for joining adjacent lateral wall panels and

adjacent longitudinal wall panels, wherein the lateral wall panels and the longitudinal wall panels include ends for interconnecting with said connectors.

9. ~~The enclosure of claim 1,~~ An enclosure for underground use having a plurality of prefabricated panels formed of a fiber resinous composite matrix, comprising:

a plurality of interconnecting vertical panels;

a floor panel attached to a lower end of the vertical panels; and

a ceiling panel attached to an upper end of the vertical panels, wherein said vertical, floor, and ceiling panels include opposing substantially planar sheets attached to a plurality of spaced support members disposed between the sheets; wherein said vertical, floor, and ceiling panels comprise, by weight at least 40% fiberglass.